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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,850	02/05/2004	Robert W. Faber	42P8383XD	7182
8791 7590 02/20/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/20/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/773,850	FABER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brandon S. Hoffman	2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5-10-04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. Claims 13-18 are presented for examination.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on May 10, 2004, is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Specification***

3. The disclosure is objected to because of the following informalities: The disclosure is objected to because of the following informalities: the "RELATED APPLICATIONS" section needs updated to reflect applications that have matured into patents. This is found on page 1 of the specification and page 1 of the preliminary amendment to the specification. Appropriate correction is required.

### ***Claim Objections***

4. Claims 13-18 are objected to because of the following informalities: claim 13 cites "also use the cipher unit generate a plurality." Please correct to read "also use the cipher unit ~~to~~ generate a plurality." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

Art Unit: 2136

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 15-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 15-18 recite the limitation "said first output taking state" and "second output taking state. The correct terms should be "said first cipher bit taking state" and "said second cipher bit taking state." There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Utz (U.S. Patent No. 5,680,131).

Regarding claim 13, Utz teaches a pseudo random number generator comprising:

- A cipher unit to generate a sequence of ciphering bits to cipher a stream of data (fig. 2, ref. num 206); and

- A state machine coupled to the cipher unit to also use the ciphering unit to generate a plurality of pseudo random numbers based on selected ones of said cipher bits (fig. 2, ref. num 216-218).

Regarding claim 14, Utz teaches wherein the state machine operates in a selected one of a continuous clocking state, a first cipher bit taking state, an output state, a second cipher bit taking state, and an authenticated state, wherein the state machine causes the cipher unit to be continuously clocked while in said continuous clocking state to introduce entropy in said cipher unit, causes first and second plurality of said cipher bits to be taken and stored, in said first and second cipher bit taking states respectively, causes the stored first/second cipher bits to be output as first/second random number, causes the cipher bits of the cipher unit to be used to cipher said stream of data during said authenticated state (col. 6, line 37 through col. 7, line 17 and col. 7, line 61 through col. 8, line 13).

Regarding claim 15, Utz teaches wherein the state machine is equipped to transition from said continuous clocking state to said first output taking state, in response to a subsequent request after n clocks for said first pseudo random number, where n is an integer, and to transition from said first output taking state to said output state, upon storing the first output cipher bits (col. 6, lines 37-65).

Regarding claim 16, Utz teaches wherein the state machine is equipped to transition from said output state to a selected one of the continuously clocking state, the second output taking state, and the authenticate state depending on whether upon provision of the first pseudo random number, an indication of an unsuccessful authentication using the first pseudo random number, another request for a second pseudo random number, or an indication of a successful authentication using the first pseudo random number is received (col. 6, line 66 through col. 7, line 17 and col. 7, line 61 through col. 8, line 13).

Regarding claim 17, Utz teaches wherein the state machine is equipped to transition from said second output taking state to said output state upon taking the second plurality of output cipher bits of the cipher unit and storing the second output cipher bits (col. 6, line 37 through col. 7, line 17).

Regarding claim 18, Utz teaches wherein the state machine is further equipped to transition from said authenticated state to said second output taking state upon receiving another request for a third pseudo random number, and to said continuously clocking state upon receiving a selected one of an unauthenticated notification and a detachment notification (col. 8, lines 8-41, the process goes back to step 306 to get another random number).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BH

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